

#5  
Gp 12784  
2133

PATENT

Attorney Docket No. 1610

3-2-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

DOUCEUR et al.

Serial No. 09/354,970

Filed: July 16, 1999



Group Art Unit: 2784

Examiner: Unassigned

For: Method and System for Regulating Background  
Tasks Using Performance Measurements

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

RECEIVED  
FEB 26 2001  
Technology Center 2100

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, the references listed on the enclosed Form PTO-1449 are submitted herewith for consideration by the Examiner in the examination of the above-identified patent application. The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form PTO-1449, thereby indicating the Examiner's consideration of each of the references.

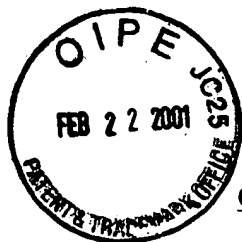
The submission of the references listed on the Form PTO-1449 is for the purpose of providing a complete record and is not a concession that the references listed thereon are prior art to the invention claimed in the patent application. The right is expressly reserved to establish an invention date earlier than the above-identified filing date in order to remove any reference submitted herewith as prior art should it be deemed appropriate to do so. Further, the submission of the references is not to be taken as a concession that any reference represents art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that any reference is not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved. Note that the references consist of the International Search Report of a corresponding PCT application, along with copies of the references cited therein.

The Information Disclosure Statement is believed to be filed before the mailing date of a first Office action on the merits. Accordingly, no fee is owed by applicant. If, however, an Office action has been issued, the Patent Office is hereby authorized to charge any underpayments associated with this submission to Deposit Account 50-1618.

*Albert S. Michalik*

Albert S. Michalik, Reg. No. 37,395  
One of the Attorneys for Applicants  
Michalik & Wylie, PLLC  
14645 Bel-Red Road, Ste 103  
Bellevue, Washington 98007  
(425) 653-3520 (telephone)  
(425) 653-3603 (facsimile)

In re Application of DOUCEUR  
Serial No. 09/354,970



CERTIFICATE OF MAILING

I hereby certify that this INFORMATION DISCLOSURE STATEMENT, PTO form 1449 and copies of the cited references are being deposited with the United States Postal Service on the date shown below, with sufficient postage as first class mail, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: Feb. 20, 2001 Albert S. Michalski

1610 IDS Statement.doc

**RECEIVED**  
FEB 26 2001  
Technology Center 2100

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 1610	SERIAL NO. 09/354,970
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		APPLICANT DOUCEUR et al.	
(Use several sheets if necessary)		FILING DATE July 16, 1999	GROUP 2784

## U.S. PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NUMBER	ISSUE DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

RECEIVED

FEB 26 2001

Technology Center 2100

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO*
DN	AA	0 774 715 A1	5/21/97	Europe				
DN	AB	WO 99/09480	2/25/99	WIPO				
DN	AC	WO 99/12098	3/11/99	WIPO				
DN	AD	WO 99/21082	4/29/99	WIPO				

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

DN	AE	LaLonde, Ken, "Batch daemon - README", UNIX Batch Command, University of Toronto, pp. 1-3 (February 27, 1997), <a href="ftp://ftp.cs.toronto.edu/pub/batch.tar.z">ftp://ftp.cs.toronto.edu/pub/batch.tar.z</a> printed December 8, 2000
DN	AF	Steere et al., "A Feedback-driven Proportion Allocator for Real-Rate Scheduling", <i>Third Symposium on Operating Systems Design and Implementation (OSDI '99)</i> , USENIX Association, pp. 145-158 (1999)
DN	AG	Copy of International Search Report from corresponding PCT Application No. PCT/US00/18989 mailed January 5, 2001